

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

AR

PLAINTIFF Cityscape Corp.	COURT CASE NUMBER Misc. Action No. 2:01-mc-00021
DEFENDANT Walsh Securities Corp., a/k/a Walsh Securities, Inc., a/k/a Walsh Securities Incorporated, f/k/a GE Mortgage, n/k/a Equity Rewards Mortgage, Inc.	TYPE OF PROCESS
SERVE John A. Ducoff, Esq.	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
AT Latham & Watkins, LLP, One Newark Center, 16th floor, Newark, NJ 07101	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

NANCY A. WASHINGTON, Esq.
SAIBER SCHLEWINGER SATZ + GOLDSTEIN
1 Gateway Center - 13th Floor
Newark, NJ 07102

Number of process to be
served with this Form - 285Number of parties to be
served in this caseCheck for service
on U.S.A.SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All
Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF☐ DEFENDANT

TELEPHONE NUMBER

(973) 622-3333

DATE

6/22/04

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total
number of process indicated.
(Sign only first USM 285 if more
than one USM 285 is submitted)

Total Process

1

District
of Origin

No. 50

District
to Serve

No. 50

Signature of Authorized USMS Deputy or Clerk

E. Baskerville

Date

7/14/04

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described
on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

John A. Ducoff, Esq.

Address (complete only if different than shown above)

☐ A person of suitable age and dis-
cretion then residing in the defendant's
usual place of abode.

Date of Service

7/26/04

Time

3:14

am

pm

Signature of U.S. Marshal or Deputy

Det. A. Baskerville

Service Fee

\$45.00

Total Mileage Charges
(including endeavors)

.74

Forwarding Fee

Total Charges

\$45.74

Advance Deposits

Amount owed to U.S. Marshal or

Amount of Refund

REMARKS:

RECEIVED USDC
NEWARK, N.J.
CIVILDISTRICT
UNITED STATES ~~BANKRUPTCY~~ COURT
DISTRICT OF NEW JERSEY

04 JUL 14 PM 5:16

MC-2:01-00021 (KSH)

Case No. 98-0223

WRIT OF EXECUTION
FOR REGISTERED JUDGMENTSTO THE MARSHAL OF THE UNITED STATES DISTRICT COURT, DISTRICT OF NEW
JERSEY

WHEREAS, judgment was entered on the 4th day of January, 2001 in an action in the United States Bankruptcy District Court, Southern District of New York between Cityscape Corp. plaintiff(s) and Walsh Securities Corp., a/k/a Walsh Securities, Inc., a/k/a Walsh Securities Incorporated, f/k/a GF Mortgage Corp., n/k/a Equity Rewards Mortgage, Inc., defendant(s) in favor of said Cityscape Corp. and against said Walsh Securities Corp., for the sum of \$4,732,568.93 and costs taxed in the sum of \$-0- and assigned to Cherokee Solutions, Inc. by Assignment of Judgment dated May 26, 2004 as appears by the Judgment filed in the Office of the Clerk of the United States District Court, District of New Jersey; and

WHEREAS, the said Judgment was duly entered in the Office of the Clerk of the United States District Court, District of New Jersey, and the sum of \$4,732,568.93, plus taxed costs in the sum of \$-0-, plus post-judgment interest¹ is now actually due thereon;

THEREFORE, you are hereby commanded to satisfy the said Judgment out of the personal property of the said judgment debtor, as set forth in the attached affidavit, and if sufficient personal property cannot be found, then out of the real property belonging to such judgment debtor at the time said Judgment was entered in the Office of the Clerk of this Court, or at any time thereafter, in whosoever hands the same may be, as set forth in the attached affidavit and that you do pay the moneys realized by you from such property directly to said plaintiff or to their attorney in the said action, and return this execution and your proceedings thereon within one (1) year after date of its issuance to the Clerk of the United States District Court, District of New Jersey.

WE FURTHER COMMAND YOU, that in case of a sale, you make return of this Writ with your proceedings thereon before said Clerk and pay to the Clerk of this Court any surplus in your hands within thirty (30) days after said sale.

WITNESS, the Honorable John W. Bissell, a Judge of the United States District Court, District of New Jersey this 8th day of July, 2004.

Prepared By:

Nancy A. Washington
An Attorney at Law

Address: Saiber Schlesinger Satz & Goldstein
One Gateway Center - 13th Floor
Newark, New Jersey 07102

William T. Walsh, Clerk
United States District Court

By: Charlie Sander
Deputy Clerk

LEVY:

Damages.....	\$4,732,568.93
Costs.....	\$ -0-
Interest ¹ from January 4, 2001....	\$
	\$

Besides Marshal's Execution Fees

¹ The judgment creditor reserves the right to add on the full amount of post-judgment interest that has accrued on the judgment since January 4, 2001, in the event that the principal amount of the judgment is satisfied by assets seized.

MC-2:01-00021 (KSH)**Case No. 98-0223****WRIT OF EXECUTION FOR REGISTERED JUDGMENT**COUNTY OF ESSEX :STATE OF NEW JERSEY :**AFFIDAVIT**Nancy A. Washington being duly sworn, says:

1. I am the attorney for judgment creditor in the matter of **Cityscape Corp. v. Walsh Securities, Corp., Misc. Action No. 2:01-00021 (KSH)**, Case No. **98-0223**, and in that capacity and in conformance with N.J.S. 2A:17-1, *et. seq.*, as made applicable to this case by Rule 69(a), Fed. R. Civ. P., I have reviewed financial statements regarding the judgment debtor's assets as provided on behalf of the judgment debtor, as well as public records thereof.

2. I have determined the following non-exempt personal property of the judgment debtor is subject to execution in satisfaction of the judgment therein:

PROPERTY DESCRIPTION	PROPERTY LOCATION
Any <u>and all</u> funds in their possession that belong to Walsh Securities, Corp., a/k/a Walsh Securities, Inc., a/k/a Walsh Securities, Incorporated, f/k/a GF Mortgage Corp., n/k/a Equity Rewards Mortgage, Inc. , including, but not limited to any funds maintained in Latham & Watkins, LLP Attorney Trust Account.	Latham & Watkins, LLP One Newark Center, 16 th Floor Newark, New Jersey 07101
Contact at Location: John A. Ducoff, Esq. (973) 639-1234	

3. I have determined the following non-exempt real property of the judgment debtor is subject to execution in satisfaction of the judgment therein:

PROPERTY DESCRIPTION**PROPERTY LOCATION**

Margaret Kruse
Subscribed and Sworn before me this
22nd day of June 2004

Nancy A. Washington
(Signature)

Notary of MARGARET KRUSE
My Commission Expires 12/18/2006
Notary Public of New Jersey

RETURNABLE ON OR BEFOREJuly 8, 2005

Recorded in the Clerk's Office of the United States District Court for the District of New Jersey in Book N04 of Executions, Page 1.

William T. Walsh, Clerk
United States District Court

By: *Charles Sanders*
Deputy Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
CITYSCAPE CORP.,

Plaintiff,

-against-

WALSH SECURITIES,

Defendant.

-----X

**98 CIVIL 0223 (SHS)
CERTIFICATION OF JUDGMENT
FOR REGISTRATION IN
ANOTHER DISTRICT
JUDGMENT #01,0012**

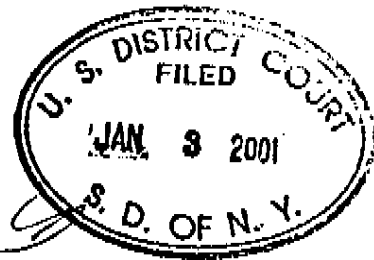
I, J. Michael McMahon, Clerk of this United States District Court certify that the attached is a true and correct copy of the judgment entered in this action on January 4, 2001 as it appears in the records of this court, and that * no notice of appeal has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on
April 23, 2004.

J. Michael McMahon
Clerk

RC
(By) Deputy Clerk

130 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



CITYSCAPE CORP.,

Plaintiff,

v.

WALSH SECURITIES CORP.,

Defendant.

98 Civ. 223 (SHS)

JUDGMENT AND ORDER

01,0012

SIDNEY H. STEIN, U.S. District Judge.

Plaintiff Cityscape Corp. ("Cityscape") having moved this Court on October 22, 1999 for partial summary judgment on Cityscape's breach of contract claim against defendant Walsh Securities Corp., ("Walsh") for 32 loans (the "New Jersey Loans") and

The Court having given due and careful consideration to the matters at issue and having set forth its findings of fact and conclusions of law in Opinions dated June 8, 2000, and October 20, 2000:

WHEREAS, this Court's Order dated June 8, 2000 granted Cityscape partial summary judgment on Cityscape's claims relating to the 32 New Jersey Loans;

WHEREAS, this Court's Order dated October 20, 2000 denied Walsh's claim for an offset of Cityscape's damages;

A CERTIFIED COPY

J. MICHAEL McMAHON,

CLERK


BY

Melanie L. Lopez

DEPUTY CLERK

MICROFILM
JAN - 4 2001
-12:00 PM

Prepared by:


Nancy A. Washington
An Attorney at Law of
the State of New Jersey

May 26, 2004

ASSIGNMENT OF JUDGMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and adequacy of which is hereby acknowledged, **CITYSCAPE CORP., a/k/a Cityscape Mortgage Corp.**, c/o AMC Financial, P.O. Box 8160, Waco, Texas 76714, ("Assignor") hereby grants, assigns, transfers and conveys to **CHEROKEE SOLUTIONS, INC.**, P.O. Box 6357, East Brunswick, NJ 08816, its successors and assigns ("Assignee"), without recourse, all of its right, title and interest in and to that certain Judgment entered on January 2, 2001, by the United States District Court for the Southern District of New York, in the action entitled Cityscape Corp. v. Walsh Securities Corp., in Civil Action No. 98-0223(SHS), granting judgment in favor of plaintiff and against defendant in the amount of \$4,732,568.93.


This Assignment of Judgment shall be binding on the parties and their respective successors and assigns.

This Assignment of Judgment is without recourse to Assignor in any manner whatsoever.

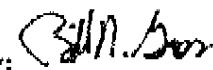
This Assignment of Judgment is made in accordance with and subject to the terms of a certain Assignment Agreement between Assignor and Assignee dated as of May 26, 2004.

IN WITNESS WHEREOF, the undersigned has executed this Assignment of Judgment on this 26th day of May, 2004.

ATTEST:


Name: Heyward Taylor
Title: Chairman

CITYSCAPE CORP.

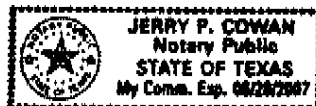
By: 
Name: Bill H. Gross
Title: President

CORPORATE ACKNOWLEDGMENT

STATE OF TEXAS :
: s.s.:
COUNTY OF :

Be it remembered, that on this 26th day of May, 2004, before me, the subscriber, in and for said county, personally appeared **BILL N. GOSS** who, I am satisfied is the person who assigned the within instrument as the **PRESIDENT** of **CITYSCAPE CORP.**, a/k/a Cityscape Mortgage Corp., and delivered the same as such officer aforesaid, and that the within Instrument is the voluntary act and deed of such association, made by virtue of a Resolution of its Board of Directors.

Witnesseth my hand and seal.





Notary Public

My commission expires:

ASSIGNMENT OF JUDGMENT

To the Register or Clerk

CITYSCAPE CORP.,
a/k/a Cityscape Mortgage Corp.,

County of

to

CHEROKEE SOLUTIONS, INC.

Record and return to:

Nancy A. Washington, Esq.
SAIBER SCHLESINGER SATZ
& GOLDSTEIN, LLC
One Gateway Center
13th Floor
Newark, New Jersey 07102